

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	<b>CASE NO. 7:08-cv-0061</b>
	§	<b>(LEAD CASE)</b>
<b>26.744 ACRES OF LAND, MORE OR</b>	§	
<b>LESS, SITUATED IN STARR</b>	§	
<b>COUNTY, STATE OF TEXAS; AND</b>	§	
<b>ANABELL G. GARCIA, ET AL.</b>	§	
<i>Defendants.</i>	§	

**MOTION TO APPEAR BY TELEPHONE**

TO THE HONORABLE COURT:

Defendant City of Roma, Texas, and the 26.744 acres of land, more or less, to the extent such land is owned or controlled by the City of Roma, Texas (the “City”), hereby files this motion to permit Joshua D. Katz to attend the status conference set for August 17, 2021, at 9:00 a.m. before the Honorable Micaela Alvarez by telephone. This request is made pursuant to Special Order M-2021-5, issued by the Southern District of Texas, McAllen Division, on August 6, 2021, allowing counsel to seek appearance by telephone or video conference due to the exigent circumstances created by the Covid-19 pandemic. Mr. Katz is available to attend the status conference by telephone at the appointed time and may be reached at his direct line, (512) 404-7716, and is also available for attendance via video conference if preferred by the Court.

Mr. Katz has conferred with Assistant United States Attorney Baltazar Salazar, but at the time of filing has not heard back whether the United States is opposed or unopposed to this Motion.

WHEREFORE, PREMISES CONSIDERED, Defendant City of Roma, Texas, respectfully requests that Joshua D. Katz be permitted to appear by telephone at the status conference on August 17, 2021, at 9:00 a.m.

Respectfully submitted,

By: /s/ Joshua D. Katz  
Joshua D. Katz  
Attorney-in-charge  
Texas Bar No. 24044985  
Southern District No. 2156333  
[jkatz@bickerstaff.com](mailto:jkatz@bickerstaff.com)

Philip B. Arnold  
Texas Bar No. 24044710  
[parnold@bickerstaff.com](mailto:parnold@bickerstaff.com)

BICKERSTAFF HEATH  
DELGADO ACOSTA LLP  
3711 South MoPac Expressway  
Building One, Suite 300  
Austin, Texas 78746  
Telephone: (512) 472-8021  
Fax: (512) 320-5638

**COUNSEL FOR DEFENDANT CITY OF  
ROMA, TEXAS**

**CERTIFICATE OF SERVICE**

I certify that on this 11<sup>th</sup> day of August, 2021, a true and correct copy of the foregoing document was filed with the Court via the CM/ECF, and that a true and correct copy of this document was served upon all counsel of record by electronic service via the Court's CM/ECF.

/s/ Joshua D. Katz  
Joshua D. Katz